

House File 2064

S-5118

1 Amend the amendment, S-5082, to House File 2064,
2 as amended, passed, and reprinted by the House, as
3 follows:

4 1. Page 1, by striking lines 1 through 24 and
5 inserting:

6 <Amend House File 2064, as amended, passed, and
7 reprinted by the House, as follows:

8 1. By striking everything after the enacting clause
9 and inserting:

10 <Section 1. Section 802.2B, Code 2016, is amended
11 by adding the following new subsection:

12 NEW SUBSECTION. 5A. Child endangerment in
13 violation of section 726.6, subsection 4, 5, or 6.

14 Sec. 2. Section 902.12, Code 2016, is amended to
15 read as follows:

16 **902.12 Minimum sentence for certain felonies —**
17 **eligibility for parole or work release.**

18 1. A person serving a sentence for conviction of
19 the following felonies, including a person serving a
20 sentence for conviction of the following felonies prior
21 to July 1, 2003, shall be denied parole or work release
22 unless the person has served at least seven-tenths of
23 the maximum term of the person's sentence:

24 ~~1.~~ a. Murder in the second degree in violation of
25 section 707.3.

26 ~~2.~~ b. Attempted murder in violation of section
27 707.11.

28 ~~3.~~ c. Sexual abuse in the second degree in
29 violation of [section 709.3](#).

30 ~~4.~~ d. Kidnapping in the second degree in violation
31 of [section 710.3](#).

32 ~~5.~~ e. Robbery in the first or second degree in
33 violation of [section 711.2](#) or [711.3](#).

34 ~~6.~~ f. Vehicular homicide in violation of section
35 707.6A, subsection 1 or 2, if the person was also

1 convicted under [section 321.261, subsection 4](#), based on
2 the same facts or event that resulted in the conviction
3 under [section 707.6A, subsection 1 or 2](#).

4 2. a. A person serving a sentence for a conviction
5 of child endangerment as defined in section 726.6,
6 subsection 1, paragraph "b", that is described and
7 punishable under section 726.6, subsection 4, shall
8 be denied parole or work release until the person has
9 served between three-tenths and seven-tenths of the
10 maximum term of the person's sentence as provided under
11 paragraph "b".

12 b. The sentencing court shall determine when
13 the person shall become eligible for consideration
14 of parole or work release within the parameters
15 specified under paragraph "a", based upon all pertinent
16 information including the person's criminal record,
17 a validated risk assessment, and whether the offense
18 involved multiple intentional acts or a series of
19 intentional acts, or whether the offense involved
20 torture or cruelty.

21 **Sec. 3. NEW SECTION. 906.20 Waiver of minimum**
22 **sentence.**

23 Notwithstanding section 124.413, the board of
24 parole, at its discretion, may place on parole or work
25 release a person sentenced for a violation of section
26 124.401, subsection 1, paragraph "a", "b", or "c", if
27 the person is not classified a high risk to reoffend
28 and the person has served at least one-half of the
29 minimum period of confinement prescribed under section
30 124.413.>>

31 2. Title page, line 2, by striking <resulting in
32 the death of a child or minor> and inserting <and to
33 criminal drug offenses>

STEVEN J. SODDERS